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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/771,697

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Tomonori Hirose

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EXAMINER

MARANDI, JAMES R

ART UNIT

PAPER NUMBER

2609

MAIL DATE

DELIVERY MODE

11/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/771,697

Applicant(s)

HIROSE, TOMONORI

Examiner

James R. Marandi

Art Unit

4157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "Video Selection Server for Preventing Delivery of Unnecessary Video Streams over a Network".

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

3. Claims 1 through 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Arif Diwan, US Patent No. 6,801,936 (hereinafter Diawn).

Diwan discloses the following as claimed:

Claim 1: A video selection server (190) for selectively relaying video information, comprising: receiving means for receiving a video stream delivered via a first network (180); information analysis means for analyzing information about the video stream received by the receiving means (310); decision means (316) for determining whether or not a result of analysis by the information analysis means fulfills a predetermined criterion, to judge whether to permit delivery of the video stream received by the receiving means to a second network (175); and transmitting means for transmitting, to the second network, the video stream of which the delivery to the second network has been permitted by the decision means (as shown in figures 1,2, and 3) .

Claim 2: The video selection server (190) according to claim 1, wherein the decision means permits the delivery of the video stream for which a request has been output from a device (105 -125) connected to the second network.
(Rejected as claim 1. Again, see figure 1).

Claim 3: The video selection server (190) according to claim 2, wherein the receiving means receives the video stream which has been multicast on the first network (180), and the transmitting means unicasts the requested video stream

to a client (105-125) which has output the request. (Rejected as claim 1. Again, see figure 1).

Claim 4: The video selection server (190) according to claim 3, wherein, if the request for the video stream has been output from more clients than a predetermined number (105-125), the transmitting means delivers the video stream by multicast. (Rejected as claim 1. Again, see figure 1).

Claim 5: The video selection server (190) according to claim 2, wherein the receiving means receives the video stream which has been unicast via the first network (180), and the transmitting means delivers the video stream by multicast (105-125). (Rejected as claim 1. Again, see figure 1).

Claim 6: The video selection server (190) according to claim 1, wherein the information analysis means (310) analyzes a transmission protocol of the video stream. (Rejected as claim 1. Again, see figure 1, 2 and 3).

Claim 7: The video selection server according to claim 1, wherein the information analysis means (310) analyzes an encoding scheme of the video stream. (Rejected as claim 1. Again, see figure 1, 2, and 3).

Claim 8: The video selection server (190) according to claim 1, wherein the

information analysis means (310) analyzes video contents of the video stream.

(Rejected as claim 1. Again, see figure 1,2, and 3).

Claim 9: The video selection server (190) according to claim 1, wherein, if the received video stream contains a plurality of videos, the receiving means separates the received video stream into a plurality of video streams (530) corresponding to the respective videos. (Rejected as claim 1. Again, see figure 1, 2,3, and 5).

Claims 10 through 15 are rejected as applied to claims 1-9

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Joffe R.L. et al., "Method and Apparatus for Balancing the Process Load on Network Servers According to Network and Server Based Policies", US Patent No. 6,185,619. Presents a method and system providing the ability to assign requests for data objects made by clients among multiple network servers.
 - Arye R., "Multicasting Transmission of Multimedia Information", US Patent No. 7,003,794. Presents a multimedia smart terminal capable of optimizing transport of multimedia content based on set criteria.

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- Diwan A. et al., "Content-Request Redirection Method and System", US Patent Publication 2003/005152. Presents a method and system where requests for content such as large multimedia files are redirected to avoid congestion and delivery delays on network backbones.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Marandi whose telephone number is (571) 270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James R. Marandi/


VU LE
SUPERVISORY PATENT EXAMINER